



PATENT
ATTORNEY DOCKET NO. 00654759

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit:
Maor, et al.) 1617
Serial No.: 09/582,522) Examiner:
Filing Date: August 24, 2000) Yu, G.
For: **A GEL COMPOSITION FOR)**
SKIN CARE AND PROTECTION)
AND A METHOD OF)
PREPARATION THEREOF)

Box RCE
Commissioner for Patents
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TRANSMITTAL LETTER

Dear Sir:

Enclosed for filing please find:

1. Remarks Accompanying Request for Continued Examination;
2. RCE Transmittal;
3. Information Disclosure Statement;
4. Form PTO/SB/08a (1 sheets);
5. References;
6. Check for \$790.00; and
7. Return postcard.

If there are any additional fees due in connection with the filing of this response, please charge these additional fees (or credit any overpayment) associated with this communication to our Deposit Account No. 13-0019.

MAYER, BROWN, ROWE & MAW LLP Respectfully submitted,
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Dated: July 1, 2005


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REMARKS ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Dear Sir:

These Remarks accompany the Request for Continued Examination ("RCE") presented herewith.

Procedural Background

On June 2, 2005, the Examiner issued a Notice of Allowance on the present application.

On June 23, 2005, Applicants submitted to the Examiner an English translation of French patent, FR 2242971. The French version of FR 2242971 was previously submitted to the Examiner in an Information Disclosure Statement of March 14, 2005, accompanied, pursuant to MPEP § 609, by an International Search Report identifying the relevance of the reference as a "Y" reference.

See MPEP § 609. On June 30, 2005, the Examiner requested a filing of an RCE to give FR 2242971 full consideration.

Comments on FR 2242971

Applicants respectfully submit that all pending claims are still allowable in consideration of FR 2242971. Applicants' invention is directed to a clear gel utilizing Dead Sea water, wherein the use of nonionic solubilizers to produce transparency is an unexpected and surprising result. (*See* Examiner's Reasons for Allowance).

FR 2242971 does not address any of the novel and non-obvious aspects of the invention. First, FR 2242971 is directed to sea water generally, and is therefore inapplicable to inventions concerning Dead Sea water. In particular, it is known that Dead Sea water has unique properties that the invention is directed to overcoming. (*See* Specification, p. 6 for description of ionic composition of Dead Sea water). Furthermore, FR 2242971 does not disclose or suggest the use of nonionic solubilizers in combination with Dead Sea water to produce a transparent gel. (The reference to a colorless gel in FR 2242971 is in respect of an ordinary sea water composition and therefore fails to teach or suggest the present invention).

In light of the foregoing, Applicants respectfully request favorable reconsideration of the pending claims in light of FR 2242971.

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